



**U.S. Department of Justice  
Federal Bureau of Prisons**

FCI Schuylkill, Minersville, PA

May 26, 2005

MEMORANDUM FOR INMATE RAMON SANTANA, REG. NO. 17036-069

FROM: C.H. McIntyre, Inmate Systems Manager

SUBJECT: Inmate Request to Staff

This is in response to your request dated May 20, 2005. You requested credit for time served on your federal sentence from 1997 through March 1999.

Your 188 month aggregate sentence began to run on March 8, 1999, the date the first sentence was imposed, making it concurrent with the local sentence you were serving. The Bureau of Prisons designated the Puerto Rico Department of Corrections as your place of service of sentence to affect this. Because you were serving the local sentence during the period of time you are seeking credit for, it cannot be awarded as prior custody credit on the federal sentence. Title 18 U.S.C. 3585(b), states,

A defendant shall be given credit toward the service of a term of imprisonment for any time he has spent in official detention prior to the date the sentence commences—

(1) as a result of the offense for which the sentence was imposed; or (2) as a result of any other charge for which the defendant was arrested after the commission of the offense for which the sentence was imposed; **that has not been credited against another sentence.** (Emphasis added.)

Documentation in your file has been reviewed to determine whether or not the Court intended that your sentences receive a downward adjustment under the U.S. Sentencing Guidelines. There is no reference to a downward adjustment under the Guidelines in case number 98-175, the 188 month sentence. In case number 97-229, there is no reference to a departure under the Guidelines, however, it appears that you were sentenced substantially below the Guideline range per a plea agreement that was entered in your case. The Court did not order that you receive credit for time served on the state sentence. Based on the foregoing, Ruggiano v. Reish does not apply to your case.

Based on the above information, I am unable to grant the time credit you are seeking.